

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Kenneth J. SUSNJARA

Serial No.: 09/872,335

Filed: June 2, 2001

For: METHOD OF MARKETING AND ADVERTISING  
COMPONENT PRODUCTS USED IN THE  
PRODUCTION OF COMPOSITE PRODUCTS

Group Art Unit: 3622

Examiner: R. Alvarez

Confirmation No.: 2887



INTERVIEW SUMMARY

Commissioner of Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Dear Sir:

On August 15, 2006, Applicant's representative, Eric P. Robins, conducted a Telephone Interview with Examiner Alvarez. During the Interview, the propriety of the rejection under 35 USC § 102(e) was discussed.

As presented in the Request for Reconsideration filed June 20, 2006, Applicants explained that the reference being relied upon by the Examiner in the most recent Office Action is not a proper reference under 35 USC § 102(e), as set forth in the MPEP, citing, *inter alia*, § 706.02(f)(1). However, the Examiner refused to consider any discussion of the inapplicability of the reference as "prior art."

Despite Applicant's explanation that the Patent Office has the burden of establishing the § 102(e) date for a reference, the Examiner again refused to hear and/or consider any argument as being untimely.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Peter N. Lalos".

Peter N. Lalos  
Registration No. 19,789

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PNL/EPR

Date: August 16, 2006